

RECEIVED  
CENTRAL FAX CENTERDocket No. 00862.023559.  
Date: January 14, 2010

JAN 14 2010

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of: HIROSHI TOJO

Application No.: 10/829,437

For: MOVING IMAGE PROCESSING METHOD AND APPARATUS

Filed: April 22, 2004

Group Art Unit: 2621

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated September 14, 2009 of the Primary Examiner finally rejecting claims 12 to 23.

The item(s) checked below are appropriate.

1. ☒ A Petition for a one month extension of time to respond to the final rejection, together with the \$130.00 extension fee under 37 C.F.R. §1.17, is being filed herewith.
2. ☐ A Petition for an additional        month extension of time to take further action, together with the \$        extension fee under 37 C.F.R. §1.17, was filed on       .
3. ☒ Fee \$540.00  
☐ Fee \$270.00 (Verified Statement claiming small entity status is enclosed, if not filed previously.)  
☐ Enclosed  
☐ Not required (fee paid in prior appeal)  
☒ Charge to Deposit Account No. 06-1205

I hereby certify that this correspondence is being transmitted via facsimile to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, (571) 273-8300, on

January 14, 2010  
(Date of Transmission)

Michael J. Guzniczak, Reg. No. 59,820  
(Name of Attorney for Applicant)

  
Signature

January 14, 2010  
Date of Signature

01/15/2010 HMARZ11 00000023 061205 10829437  
01 FC:1401 540.00 DA

Page 1 of 2

4. ☒ Any prior general authorization to charge an issue fee under 37 C.F.R. 1.18 to Deposit Account No. 06-1205 is hereby revoked. The Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. 1.16 or 1.17 which may be required during the entire pendency of this application, or to credit any overpayment, to Deposit Account No. 06-1205.
5. ☒ Applicants' undersigned attorney may be reached in our Costa Mesa, California office by telephone at (714) 540-8700. All correspondence should continue to be directed to our address given below.

Respectfully submitted,



Michael J. Guzniczak  
Attorney for Applicant  
Registration No.: 59,820

FITZPATRICK, CELLA, HARPER & SCINTO  
1290 Avenue of the Americas  
New York, New York 10104-3800  
Facsimile: (212) 218-2200

Form #67

FCHS\_WS 4610258v1

Page 2 of 2